

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. CR07-146-RSM
)
Plaintiff,)
)
v.)
) DETENTION ORDER
BOUNMARK MYSAENGSAI,)
)
Defendant.)
_____)

Offense charged: Conspiracy to Distribute MDMA; Possession with Intent to Distribute
MDMA

Date of Detention Hearing: May 22, 2007

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with two drug offenses, the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both
02 dangerousness and flight risk, under 18 U.S.C. §3142(e).

03 2. Defendant was born in Laos and is a resident of Canada. He has family members
04 who live in Laos. There is conflicting information available about his current residence. There are
05 charges pending in state court that are apparently related to the instant case. As a result, if the
06 defendant was released from federal custody, he would return to state custody.

07 3. Taken as a whole, the record does not effectively rebut the presumption that no
08 condition or combination of conditions will reasonably assure the appearance of the defendant as
09 required and the safety of the community.

10 It is therefore ORDERED:

11 (1) Defendant shall be detained pending trial and committed to the custody of the
12 Attorney General for confinement in a correction facility separate, to the extent
13 practicable, from persons awaiting or serving sentences or being held in custody
14 pending appeal;

15 (2) Defendant shall be afforded reasonable opportunity for private consultation with
16 counsel;

17 (3) On order of a court of the United States or on request of an attorney for the
18 Government, the person in charge of the corrections facility in which defendant is
19 confined shall deliver the defendant to a United States Marshal for the purpose of
20 an appearance in connection with a court proceeding; and

21 (4) The clerk shall direct copies of this Order to counsel for the United States, to
22 counsel for the defendant, to the United States Marshal, and to the United States

01 Pretrial Services Officer.

02 DATED this 22nd day of May, 2007.

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04 Mary Alice Theiler
05 United States Magistrate Judge
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